

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LAURENCIO MARTINEZ QUINTERO,

No. 2:20-cv-00200-TLN-CKD

Petitioner,

ORDER

v.

TAMMY FOSS,

Respondent.

Petitioner, a state prisoner proceeding pro se, filed a third amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 together with a request to lift the stay of this matter. ECF No. 48 at 23.

In light of the California Supreme Court's denial of petitioner's state habeas corpus petition, this court will lift the stay of this case. Additionally, as petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondent will be directed to file a response to petitioner's third amended habeas petition docketed on March 7, 2024.

In accordance with the above, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to lift the stay of this matter entered on November 1, 2021.

2. Respondent is directed to file a response to petitioner's third amended habeas petition within sixty days from the date of this order. See Rule 4, 28 U.S.C. foll. § 2254. An answer shall

1 be accompanied by all transcripts and other documents relevant to the issues presented in the
2 petition. See Rule 5, 28 U.S.C. foll. § 2254.

3 3. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be
4 filed and served within thirty days after service of the answer.

5 4. If the response to the habeas petition is a motion, petitioner's opposition or statement
6 of non-opposition to the motion shall be filed and served within thirty days after service of the
7 motion, and respondent's reply, if any, shall be filed and served within fourteen days thereafter.

8 Dated: March 14, 2024



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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